

**WHITE & CASE**

1747 PENNSYLVANIA AVENUE N.W.

1155 AVENUE OF THE AMERICAS, NEW YORK

333 SOUTH HOPE STREET, LOS ANGELES

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20-5, ICHIBANCHO, CHIYODA-KU, TOKYO

15 QUEEN'S ROAD CENTRAL, HONG KONG

50 RAFFLES PLACE, SINGAPORE

BIRGER JARLSGATAN 14, STOCKHOLM

CUMHURİYET CADDESİ 12/10, ISTANBUL

ZIYA ÜR RAHMAN CADDESİ 17/5, ANKARA

HAR:CSP

9-089A010

March 30, 1989

Office of the Secretary  
Recordations Unit  
Room 2303  
Interstate Commerce Commission  
12th and Constitution Avenue, N.W.  
Washington, D.C. 20423

RECORDATION NO. 15828B FILED 1423

MAR 30 1989 -10 25 AM

INTERSTATE COMMERCE COMMISSION

ATTENTION: Ms. Mildred Lee

Dear Ms. Lee:

Enclosed are an original and one certified true copy of the document described below, to be recorded pursuant to 49 U.S.C. § 11303. This document is a Partial Termination Agreement, a secondary document, dated March 30, 1989. The primary document to which this termination agreement is connected is recorded under Recordation No. 1-5828.

The names and addresses of the parties of the documents are as follows:

The Baltimore and Ohio Chicago  
Terminal Railroad Company, Lessor  
100 North Charles Street  
Baltimore, Maryland 21201

CSX Transportation, Inc., Lessee  
100 North Charles Street  
Baltimore, Maryland 21201

MAR 30 10 16 AM '89  
MOTOR OPERATING UNIT

A description of the equipment covered by this document follows:

709 100-ton 4,750 cu. ft. covered hopper  
cars bearing the road numbers  
CSXT 259,498  
CSXT 259,569 - CSXT 259,572  
CSXT 259,578 - CSXT 259,599  
CSXT 260,030 - CSXT 260,300

*Countersigned  
H. J. [Signature]*

Interstate Commerce Commission  
March 30, 1989  
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CSXT 260,302 - CSXT 260,307  
CSXT 260,311 - CSXT 260,312  
CSXT 260,314 - CSXT 260,316

A filing fee of \$13.00 is enclosed. Please return the original and any extra copies not needed by the Commission for recordation to the undersigned.

A short summary of the document to appear in the index follows:

Partial Termination Agreement to  
Lease of Railroad Equipment with  
Recordation No. 1-5828 dated  
March 30, 1989 and covering  
709 100-ton 4,750 cu. ft. covered hopper  
cars bearing the road numbers  
CSXT 259,498  
CSXT 259,569 - CSXT 259,572  
CSXT 259,578 - CSXT 259,599  
CSXT 260,030 - CSXT 260,300  
CSXT 260,302 - CSXT 260,307  
CSXT 260,311 - CSXT 260,312  
CSXT 260,314 - CSXT 260,316

Very truly yours,

  
Harriet Ann Robinson

Enclosures

**Interstate Commerce Commission**  
Washington, D.C. 20423

3/30/89

OFFICE OF THE SECRETARY

Harriet Ann Robinson  
White & Case  
1747 Pennsylvania Avenue N.W.  
Washington, D.C. 20006

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 3/30/89 at 10:25am, and assigned recordation number(s). 15828-B

15829-B

158

16114-C

16115-C

Sincerely yours,

*Nesta L. McGee*

Secretary

Enclosure(s)

MAR 30 1989 -10 25 AM

INTERSTATE COMMERCE COMMISSION

PARTIAL TERMINATION

WHEREAS, the Baltimore and Ohio Chicago Terminal Railroad Company ("B&OCT") and CSX Transportation, Inc. ("CSXT") have entered into an Agreement of Lease dated as of September 1, 1988 (the "Lease");

WHEREAS, an executed counterpart of the Lease was filed with the Interstate Commerce Commission on September 19, 1988 at 12:15 p.m. (Recordation No. 1-5828);

WHEREAS, the Lease covers, inter alia, 709 100-ton 4,750 cu. ft. covered hopper cars bearing the Lessee's road numbers CSXT 259,498, CSXT 259,569 - CSXT 259,572, CSXT 259,578 - CSXT 259,999, CSXT 260,030 - CSXT 260,300, CSXT 260,302 - CSXT 260,307, CSXT 260,311 - CSXT 260,312, CSXT 260,314 - CSXT 260,316 (hereinafter called the "Hopper Cars"); and

WHEREAS, B&OCT and CSXT have agreed to terminate the Lease with respect to the Hopper Cars as of the date hereof;

NOW THEREFORE, in consideration of the sum of \$1 and other valuable consideration, the undersigned hereby agree that the Hopper Cars are no longer Subject to the Lease. Except as provided in this Partial Termination the terms and provisions of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this Partial Termination to be executed as of the 30th day of March, 1989.

Attest:

THE BALTIMORE AND OHIO CHICAGO  
TERMINAL RAILROAD COMPANYBy: D. J. Horowitz  
Title: Assistant SecretaryBy: A. B. Altman  
Title: Treasurer

Attest:

CSX TRANSPORTATION, INC.

By: D. J. Horowitz  
Title: Assistant SecretaryBy: William H. Hain  
Title: AVP & TREASURER - EQUIPMENT UNIT

STATE OF Maryland )  
City ) : ss.:  
COUNTY OF Baltimore )

On this 27<sup>th</sup> day of March, 1989, before me personally appeared H. G. Hoffman to be personally known, who, being by me duly sworn, says that he is Treasurer of The Baltimore City Chicago Assn. that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

H. Maureen Mc Cabe  
Notary Public  
MY COMMISSION EXPIRES JULY 1, 1990

My Commission Expires:

[Notary Seal]

STATE OF Maryland )  
City ) ss.:  
COUNTY OF Baltimore )

On this 27<sup>th</sup> day of March, 1989, before me personally appeared Warin J. Throck to be personally known, who, being by me duly sworn, says that he is AVP & TREASURER - EQUIPMENT UNIT of CSA Transportation Inc., that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

N. Marlene McCabe  
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES JULY 1, 1990

[Notary Seal]

CERTIFICATION

On this 30th day of March, 1989, the undersigned has compared the foregoing copy of the Partial Termination Agreement relating to the primary document recorded under Recordation No. 1-5828 with the original thereof and has found the copy to be complete and identical in all respects to the original.

Harriet A. Robinson  
Harriet Ann Robinson

DISTRICT OF COLUMBIA: ss:  
:

Subscribed and sworn to before me this 30<sup>th</sup> day of March, 1989.

Sundari Prabato  
Notary Public

My commission expires October 14, 1991